

MAR 04 2004

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I hereby certify that this paper and the papers and/or fees referred to herein as attached are being transmitted via facsimile to the United States Patent and Trademark Office, Technology Center 3700, at facsimile number (703) 872-9303 on March 4, 2004.			
Date of Deposit:	3/4/2004	Name of Person Making the Deposit:	Rhonda Dunn
		Signature of the Person Making the Deposit:	<i>Rhonda Dunn</i>

In re Application of MAKAREWICZ et al.

Application No: 09/954,856

Filed: September 17, 2001

Title: METHOD AND APPARATUS FOR MINIMIZING  
SPECTRAL INTERFERENCE DUE TO WITHIN  
AND BETWEEN SAMPLE VARIATIONS DURING  
IN-SITU SPECTRAL SAMPLING OF TISSUE

Atty. Docket No: IMET0066

Art Unit: 3736

Examiner: KREMER, Matthew J.

March 4, 2004

Commissioner for Patents  
Mail Stop Non Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Re: Final Office Action Response and Amendment**

To: United States Patent and Trademark Office  
Fax: (703) 872-9306  
Attention: Matthew Kremer, Technology 3700, Art Unit 3736

Pages (including coversheet): 17

**Attached to this facsimile coversheet please find the following documents:**

1. RCE (1 sheet, in duplicate for accounting purposes);
2. Petition for Extension of Time (1 sheet, in duplicate for accounting purposes);
3. Preliminary Amendment (12 pages)

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PATENTS

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Office, Attn: Matthew Kremer, at facsimile number (703)  
872-9308 on March 4, 2004.

Signed: Rhonda Dunn

Rhonda Dunn

## PRELIMINARY AMENDMENT

Sir:

This preliminary amendment is submitted in response to the Advisory Action dated January 22, 2004 in the above-identified United States Patent Application. A list of pending claims is provided herewith for the convenience of the Examiner, and starts on page 2 of this paper. The remarks begin on page 10 of this paper.

The Application is amended as follows:

- Claims 30, 51, 52, 54 and 55 are amended.